

Union Calendar No. 103

103D CONGRESS
1ST SESSION

H. R. 631

[Report No. 103-181]

A BILL

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JULY 19, 1993

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 1993

Mr. SKAGGS (for himself, Mr. McINNIS, and Mrs. SCHROEDER) introduced the following bill; which was referred to the Committee on Natural Resources

JULY 19, 1993

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on January 26, 1993]

A BILL

To designate certain lands in the State of Colorado as components of the National Wilderness Preservation System, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE AND DEFINITIONS.**

2 (a) *SHORT TITLE.*—This Act may be cited as the “Col-
3 orado Wilderness Act of 1993”.

4 (b) *DEFINITIONS.*—(1) As used in this Act with ref-
5 erence to lands in the National Forest System, the term “the
6 Secretary” means the Secretary of Agriculture.

7 (2) As used in this Act with respect to lands not in
8 the National Forest System, the term “the Secretary” means
9 the Secretary of the Interior.

10 **SEC. 2. ADDITIONS TO THE WILDERNESS PRESERVATION**
11 **SYSTEM.**

12 (a) *ADDITIONS.*—The following lands in the State of
13 Colorado are hereby designated as wilderness and, therefore,
14 as components of the National Wilderness Preservation Sys-
15 tem:

16 (1) Certain lands in the Gunnison Resource
17 Area administered by the Bureau of Land Manage-
18 ment which comprise approximately 3,390 acres, as
19 generally depicted on a map entitled “American Flats
20 Additions to the Big Blue Wilderness Proposal (Amer-
21 ican Flats)”, dated January, 1993, and which are
22 hereby incorporated in and shall be deemed to be a
23 part of the wilderness area designated by section
24 102(a)(1) of Public Law 96–560 and renamed
25 Uncompahgre Wilderness by section 3(f) of this Act.

1 (2) Certain lands in the Gunnison Resource
2 Area administered by the Bureau of Land Manage-
3 ment which comprise approximately 815 acres, as
4 generally depicted on a map entitled “Bill Hare
5 Gulch and Larson Creek Additions to the Big Blue
6 Wilderness”, dated January, 1993, and which are
7 hereby incorporated in and shall be deemed to be a
8 part of the wilderness area designated by section
9 102(a)(1) of Public Law 96-560 and renamed
10 Uncompahgre Wilderness by section 3(f) of this Act.

11 (3) Certain lands in the Pike and San Isabel
12 National Forests which comprise approximately
13 43,410 acres, as generally depicted on a map entitled
14 “Buffalo Peaks Wilderness Proposal”, dated January,
15 1993, and which shall be known as the Buffalo Peaks
16 Wilderness.

17 (4) Certain lands in the Gunnison National For-
18 est and in the Powderhorn Primitive Area adminis-
19 tered by the Bureau of Land Management which com-
20 prise approximately 60,100 acres, as generally de-
21 picted on a map entitled “Powderhorn Wilderness
22 Proposal”, dated January, 1993, and which shall be
23 known as the Powderhorn Wilderness.

24 (5) Certain lands in the Routt National Forest
25 which comprise approximately 20,750 acres, as gen-

1 *erally depicted on a map entitled "Davis Peak Addi-*
2 *tions to Mount Zirkel Wilderness Proposal", dated*
3 *January, 1993, and which are hereby incorporated in*
4 *and shall be deemed to be a part of the Mount Zirkel*
5 *Wilderness designated by Public Law 88-555, as*
6 *amended by Public Law 96-560.*

7 *(6) Certain lands in the Gunnison National For-*
8 *ests which comprise approximately 33,060 acres, as*
9 *generally depicted on a map entitled "Fossil Ridge*
10 *Wilderness Proposal", dated January, 1993, and*
11 *which shall be known as the Fossil Ridge Wilderness.*

12 *(7) Certain lands in the San Isabel National*
13 *Forest which comprise approximately 22,040 acres, as*
14 *generally depicted on a map entitled "Greenhorn*
15 *Mountain Wilderness Proposal", dated January,*
16 *1993, and which shall be known as the Greenhorn*
17 *Mountain Wilderness.*

18 *(8) Certain lands within the Pike National For-*
19 *est which comprise approximately 14,700 acres, as*
20 *generally depicted on a map entitled "Lost Creek Wil-*
21 *derness Addition Proposal", dated January, 1993,*
22 *which are hereby incorporated in and shall be deemed*
23 *to be a part of the Lost Creek Wilderness designated*
24 *by Public Law 96-560: Provided, That the Secretary*
25 *is authorized to acquire, only by donation or ex-*

1 *change, various mineral reservations held by the State*
2 *of Colorado within the boundaries of the Lost Creek*
3 *Wilderness additions designated by this Act.*

4 *(9) Certain lands in the Gunnison National For-*
5 *ests which comprise approximately 5,500 acres, as*
6 *generally depicted on a map entitled “O-Be-Joyful*
7 *Addition to the Raggeds Wilderness Proposal”, dated*
8 *January, 1993, and which are hereby incorporated in*
9 *and shall be deemed to be a part of the Raggeds Wil-*
10 *derness designated by Public Law 96–560.*

11 *(10) Certain lands in the Rio Grande and San*
12 *Isabel National Forests and lands in the San Luis*
13 *Resource Area administered by the Bureau of Land*
14 *Management which comprise approximately 226,455*
15 *acres, as generally depicted on four maps entitled*
16 *“Sangre de Cristo Wilderness Proposal (North Sec-*
17 *tion)”, “Sangre de Cristo Wilderness Proposal (North*
18 *Middle Section)”, “Sangre de Cristo Wilderness Pro-*
19 *posal (South Middle Section)”, and “Sangre de Cristo*
20 *Wilderness Proposal (South Section)”, all dated Jan-*
21 *uary, 1993, and which shall be known as the Sangre*
22 *de Cristo Wilderness.*

23 *(11) Certain lands in the Routt National Forest*
24 *which comprise approximately 47,140 acres, as gen-*
25 *erally depicted on a map entitled “Service Creek Wil-*

1 *derness Proposal (Sarvis Creek Wilderness)”, dated*
2 *January, 1993, and which shall be known as the*
3 *Sarvis Creek Wilderness.*

4 *(12) Certain lands in the San Juan National*
5 *Forest which comprise approximately 31,100 acres, as*
6 *generally depicted on two maps, one entitled “South*
7 *San Juan Wilderness Expansion Proposal, Monte-*
8 *zuma Peak” and the other entitled “South San Juan*
9 *Wilderness Expansion Proposal, V-Rock Trail”, both*
10 *dated January, 1993, and which are hereby incor-*
11 *porated in and shall be deemed to be a part of the*
12 *South San Juan Wilderness designated by Public*
13 *Law 96–560.*

14 *(13) Certain lands in the White River National*
15 *Forest which comprise approximately 8,330 acres, as*
16 *generally depicted on a map entitled “Spruce Creek*
17 *Addition to the Hunter-Fryingpan Wilderness Pro-*
18 *posal”, dated January, 1993, and which are hereby*
19 *incorporated in and shall be deemed to be part of the*
20 *Hunter Fryingpan Wilderness designated by Public*
21 *Law 95–327: Provided, That no right, or claim of*
22 *right, to the diversion and use of waters by the*
23 *Fryingpan–Arkansas Project shall be prejudiced, ex-*
24 *panded, diminished, altered, or affected by this Act,*
25 *nor shall anything in this Act be construed to expand,*

1 *abate, impair, impede, limit, interfere with, or pre-*
2 *vent the construction, operation, use, maintenance, or*
3 *repair of the project facilities and diversion systems*
4 *to their full extent.*

5 *(14) Certain lands in the Arapaho National For-*
6 *est which comprise approximately 8,095 acres, as gen-*
7 *erally depicted on a map entitled "Byers Peak Wil-*
8 *derness Proposal", dated January, 1993, and which*
9 *shall be known as the Byers Peak Wilderness.*

10 *(15) Certain lands in the Arapaho National For-*
11 *est which comprise approximately 12,300 acres, as*
12 *generally depicted on a map entitled "Vasquez Peak*
13 *Wilderness Proposal", dated January, 1993, and*
14 *which shall be known as the Vasquez Peak Wilderness.*

15 *(16) Certain lands in the San Juan National*
16 *Forest which comprise approximately 28,740 acres, as*
17 *generally depicted on a map entitled "West Needle*
18 *Wilderness Proposal and Weminuche Additions",*
19 *dated January, 1993, and which are hereby incor-*
20 *porated in and shall be deemed to be a part of the*
21 *Weminuche Wilderness designated by Public Law 93-*
22 *632, as amended by Public Law 96-560.*

23 *(17) Certain lands in the Rio Grande National*
24 *Forest which comprise approximately 25,640 acres, as*
25 *generally depicted on a map entitled "Wheeler Addi-*

1 *tion to the La Garita Wilderness Proposal*”, dated
2 *January, 1993, and which shall be incorporated in*
3 *and shall be deemed to be a part of the La Garita*
4 *Wilderness designated by Public Law 96–560.*

5 *(18) Certain lands in the Arapaho National For-*
6 *est which comprise approximately 13,175 acres, as*
7 *generally depicted on a map entitled “Farr Wilder-*
8 *ness Proposal”, dated January, 1993, and which shall*
9 *be known as the Ptarmigan Peak Wilderness.*

10 *(19) Certain lands in the Arapaho National For-*
11 *est which comprise approximately 6,990 acres, as gen-*
12 *erally depicted on a map entitled “Bowen Gulch Ad-*
13 *ditions to Never Summer Wilderness Proposal”, dated*
14 *January, 1993, and which are hereby incorporated in*
15 *and shall be deemed to be a part of the Never Summer*
16 *Wilderness designated by Public Law 96–560.*

17 *(b) MAPS AND DESCRIPTIONS.—As soon as practicable*
18 *after the date of enactment of this Act, the appropriate Sec-*
19 *retary shall file a map and a boundary description of each*
20 *area designated as wilderness by this Act with the Commit-*
21 *tee on Energy and Natural Resources of the United States*
22 *Senate and the Committee on Natural Resources of the*
23 *United States House of Representatives. Each map and de-*
24 *scription shall have the same force and effect as if included*
25 *in this Act, except that the appropriate Secretary is author-*

1 ized to correct clerical and typographical errors in such
2 boundary descriptions and maps. Such maps and boundary
3 descriptions shall be on file and available for public inspec-
4 tion in the Office of the Chief of the Forest Service, Depart-
5 ment of Agriculture, and the Office of the Director of the
6 Bureau of Land Management, Department of the Interior,
7 as appropriate.

8 **SEC. 3. ADMINISTRATIVE PROVISIONS.**

9 (a) *IN GENERAL.*—(1) Subject to valid existing rights,
10 lands designated as wilderness by this Act shall be managed
11 by the Secretary of Agriculture or the Secretary of the Inte-
12 rior, as appropriate, in accordance with the Wilderness Act
13 (16 U.S.C. 1131 et seq.) and this Act, except that, with re-
14 spect to any wilderness areas designated by this Act, any
15 reference in the Wilderness Act to the effective date of the
16 Wilderness Act shall be deemed to be a reference to the date
17 of enactment of this Act.

18 (2) Administrative jurisdiction over those lands des-
19 igned as wilderness pursuant to paragraphs (2) and (10)
20 of section 2(a) of this Act, and which, as of the date of enact-
21 ment of this Act, are administered by the Bureau of Land
22 Management, is hereby transferred to the Forest Service and
23 such lands are hereby added to the appropriate National
24 Forest.

1 (b) *GRAZING.*—Grazing of livestock in wilderness
2 areas designated by this Act shall be administered in ac-
3 cordance with the provisions of section 4(d)(4) of the Wil-
4 derness Act (16 U.S.C. 1133(d)(4)), as further interpreted
5 by section 108 of Public Law 96–560, and, as regards wil-
6 derness managed by the Bureau of Land Management, the
7 guidelines set forth in Appendix A of House Report 101–
8 405 of the 101st Congress.

9 (c) *STATE JURISDICTION.*—As provided in section
10 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), noth-
11 ing in this Act shall be construed as affecting the jurisdic-
12 tion or responsibilities of the State of Colorado with respect
13 to wildlife and fish in Colorado.

14 (d) *CONFORMING AMENDMENT.*—Section 2(e) of the
15 Endangered American Wilderness Act of 1978 (92 Stat. 41)
16 is amended by striking “Subject to” and all that follows
17 through “System.”.

18 (e) *BUFFER ZONES.*—Congress does not intend that
19 the designation by this Act of wilderness areas in the State
20 of Colorado creates or implies the creation of protective pe-
21 rimeters or buffer zones around any wilderness area. The
22 fact that nonwilderness activities or uses can be seen or
23 heard from within a wilderness area shall not, of itself, pre-
24 clude such activities or uses up to the boundary of the wil-
25 derness area.

1 (f) *WILDERNESS NAME CHANGE.*—*The wilderness area*
2 *designated as “Big Blue Wilderness” by section 102(a)(1)*
3 *of Public Law 96–560, and the additions thereto made by*
4 *paragraphs (1) and (2) of section 2(a) of this Act, shall*
5 *hereafter be known as the Uncompahgre Wilderness. Any*
6 *reference to the Big Blue Wilderness in any law, regulation,*
7 *map, document, record, or other paper of the United States*
8 *shall be considered to be a reference to the Uncompahgre*
9 *Wilderness.*

10 (g) *BOUNDARIES AND AUTHORIZATIONS TO USE*
11 *LANDS.*—*(1) For the purpose of section 7 of the Land and*
12 *Water Conservation Fund Act of 1965 (16 U.S.C. 4601–*
13 *9), the boundaries of affected National Forests, as modified*
14 *by this section, shall be considered to be the boundaries of*
15 *such National Forests as of January 1, 1965.*

16 (2) *Nothing in this subsection shall affect valid exist-*
17 *ing rights of any person under the authority of law.*

18 (3) *Authorizations to use lands transferred by this sec-*
19 *tion which were issued prior to the date of enactment of*
20 *this Act shall remain subject to the laws and regulations*
21 *under which they were issued, to the extent consistent with*
22 *this Act. Such authorizations shall be administered by the*
23 *Secretary of Agriculture. Any renewal or extension of such*
24 *authorizations shall be subject to the laws and regulations*
25 *pertaining to the Forest Service, Department of Agri-*

1 culture, and the applicable law, including this Act. The
2 change of administrative jurisdiction resulting from the en-
3 actment of this section shall not in itself constitute a basis
4 for denying or approving the renewal or reissuance of any
5 such authorization.

6 **SEC. 4. WILDERNESS RELEASE.**

7 (a) *REPEAL OF WILDERNESS STUDY PROVISIONS.*—
8 Sections 105 and 106 of the Act of December 22, 1980 (Pub-
9 lic Law 96–560), are hereby repealed.

10 (b) *INITIAL PLANS.*—Section 107(b)(2) of the Act of
11 December 22, 1980 (Public Law 96–560), is amended by
12 striking out “except those lands remaining in further plan-
13 ning upon enactment of this Act, areas listed in sections
14 105 and 106 of this Act, or previously congressional des-
15 ignated wilderness study areas,”.

16 **SEC. 5. FOSSIL RIDGE RECREATION MANAGEMENT AREA.**

17 (a) *ESTABLISHMENT.*—(1) In order to conserve, pro-
18 tect, and enhance the scenic, wildlife, recreational, and
19 other natural resource values of the Fossil Ridge area, there
20 is hereby established the Fossil Ridge Recreation Manage-
21 ment Area (hereinafter referred to as the “recreation man-
22 agement area”).

23 (2) The recreation management area shall consist of
24 certain lands in the Gunnison National Forest, Colorado,
25 which comprise approximately 43,900 acres, as generally

1 *depicted as “Area A” on a map entitled “Fossil Ridge Wil-*
2 *derness Proposal”, dated January, 1993.*

3 (b) *ADMINISTRATION.—The Secretary of Agriculture*
4 *shall administer the recreation management area in accord-*
5 *ance with this section and the laws and regulations gen-*
6 *erally applicable to the National Forest System.*

7 (c) *WITHDRAWAL.—Subject to valid existing rights, all*
8 *lands within the recreation management area are hereby*
9 *withdrawn from all forms of entry, appropriation, or dis-*
10 *posal under the public land laws, from location, entry, and*
11 *patent under the mining laws, and from disposition under*
12 *the mineral and geothermal leasing laws, including all*
13 *amendments thereto.*

14 (d) *TIMBER HARVESTING.—No timber harvesting shall*
15 *be allowed within the recreation management area except*
16 *to the extent that would be permitted in wilderness under*
17 *section 4(d)(1) of the Wilderness Act for necessary control*
18 *of fire, insects, and diseases, and for public safety.*

19 (e) *LIVESTOCK GRAZING.—The designation of the*
20 *recreation management area shall not be construed to pro-*
21 *hibit, or change the administration of, the grazing of live-*
22 *stock within the recreation management area.*

23 (f) *DEVELOPMENT.—No developed campgrounds shall*
24 *be constructed within the recreation management area.*
25 *After the date of enactment of this Act, no new roads or*

1 trails may be constructed within the recreation manage-
2 ment area.

3 (g) *OFF-ROAD RECREATION.*—Motorized travel shall
4 be permitted within the recreation management area only
5 on those established trails and routes existing as of July
6 1, 1991, on which such travel was permitted as of such date,
7 except that other trails and routes may be used where nec-
8 essary for administrative purposes or to respond to an
9 emergency. No later than one year after the date of enact-
10 ment of this Act, the Secretary shall identify such routes
11 and trails and shall prepare and make available to the pub-
12 lic a map showing such routes and trails. Nothing in this
13 subsection shall be construed as precluding the Secretary
14 from closing any trail or route from use for purposes of
15 resource protection or public safety.

16 **SEC. 6. BOWEN GULCH PROTECTION AREA.**

17 (a) *ESTABLISHMENT.*—(1) There is hereby established
18 in the Arapaho National Forest, Colorado, the Bowen Gulch
19 Protection Area (hereinafter in this Act referred to as the
20 “protection area”).

21 (2) The protection area shall consist of certain lands
22 in the Arapaho National Forest, Colorado, which comprise
23 approximately 11,600 acres, as generally depicted as “Area
24 A” on a map entitled “Bowen Gulch Additions to Never
25 Summer Wilderness Proposal”, dated January, 1993.

1 (b) *ADMINISTRATION.*—*The Secretary shall administer*
2 *the protection area in accordance with this section and the*
3 *laws and regulations generally applicable to the National*
4 *Forest System.*

5 (c) *WITHDRAWAL.*—*Subject to valid existing rights, all*
6 *lands within the protection area are hereby withdrawn from*
7 *all forms of entry, appropriation, or disposal under the*
8 *public land laws, from location, entry, and patent under*
9 *the mining laws, and from disposition under the mineral*
10 *and geothermal leasing laws, including all amendments*
11 *thereto.*

12 (d) *DEVELOPMENT.*—*No developed campgrounds shall*
13 *be constructed within the protection area. After the date of*
14 *enactment of this Act, no new roads or trails may be con-*
15 *structed within the protection area.*

16 (e) *TIMBER HARVESTING.*—*No timber harvesting shall*
17 *be allowed within the protection area except to the extent*
18 *that would be permitted in wilderness under section 4(d)(1)*
19 *of the Wilderness Act for necessary control of fire, insects,*
20 *and diseases, and for public safety.*

21 (f) *MOTORIZED TRAVEL.*—*Motorized travel shall be*
22 *permitted within the protection area only on those des-*
23 *ignated trails and routes existing as of July 1, 1991, and*
24 *only during periods of adequate snow cover. At all other*

1 *times, mechanized, non-motorized travel shall be permitted*
2 *within the protection area.*

3 *(g) MANAGEMENT PLAN.—During the revision of the*
4 *Land and Resource Management Plan for the Arapaho Na-*
5 *tional Forest, the Forest Service shall develop a manage-*
6 *ment plan for the protection area, after providing for public*
7 *comment.*

8 **SEC. 7. OTHER LANDS.**

9 *Nothing in this Act shall affect ownership or use of*
10 *lands or interests therein not owned by the United States*
11 *or access to such lands available under other applicable law.*

12 **SEC. 8. WATER.**

13 *(a) FINDINGS, PURPOSE, AND DEFINITION.—(1) Con-*
14 *gress finds that—*

15 *(A) the lands designated as wilderness by this*
16 *Act are located at the headwaters of the streams and*
17 *rivers on those lands, with few, if any, actual or pro-*
18 *posed water resource facilities located upstream from*
19 *such lands and few, if any, opportunities for diver-*
20 *sion, storage, or other uses of water occurring outside*
21 *such lands that would adversely affect the wilderness*
22 *values of such lands; and*

23 *(B) the lands designated as wilderness by this*
24 *Act are not suitable for use for development of new*

1 *water resource facilities, or for the expansion of exist-*
2 *ing facilities; and*

3 *(C) therefore, it is possible to provide for proper*
4 *management and protection of the wilderness value of*
5 *such lands in ways different from those utilized in*
6 *other legislation designating as wilderness lands not*
7 *sharing the attributes of the lands designated as wil-*
8 *derness by this Act.*

9 *(2) The purpose of this section is to protect the wilder-*
10 *ness values of the lands designated as wilderness by this*
11 *Act by means other than those based on a federal reserved*
12 *water right.*

13 *(3) As used in this section, the term “water resource*
14 *facility” means irrigation and pumping facilities, res-*
15 *ervoirs, water conservation works, aqueducts, canals,*
16 *ditches, pipelines, wells, hydropower projects, and trans-*
17 *mission and other ancillary facilities, and other water di-*
18 *version, storage, and carriage structures.*

19 *(b) RESTRICTIONS ON RIGHTS AND DISCLAIMER OF*
20 *EFFECT.—(1) Neither the Secretary of Agriculture nor the*
21 *Secretary of the Interior, nor any other officer, employee,*
22 *representative, or agent of the United States, nor any other*
23 *person, shall assert in any court or agency, nor shall any*
24 *court or agency consider, any claim to or for water or water*
25 *rights in the State of Colorado, which is based on any con-*

1 *struction of any portion of this Act, or the designation of*
2 *any lands as wilderness by this Act, as constituting an ex-*
3 *press or implied reservation of water or water rights.*

4 (2)(A) *Nothing in this Act shall constitute or be con-*
5 *strued to constitute either an express or implied reservation*
6 *of any water or water rights with respect to the Piedra,*
7 *Roubideau, and Tabeguache areas identified in section 9*
8 *of this Act, or the Bowen Gulch Protection Area or the Fos-*
9 *sil Ridge Recreation Management Area identified in sec-*
10 *tions 5 and 6 of this Act.*

11 (B) *Nothing in this Act shall be construed as a cre-*
12 *ation, recognition, disclaimer, relinquishment, or reduction*
13 *of any water rights of the United States in the State of*
14 *Colorado existing before the date of enactment of this Act,*
15 *except as provided in subsection (g)(2) of this section.*

16 (C) *Except as provided in subsection (g) of this section,*
17 *nothing in this Act shall be construed as constituting an*
18 *interpretation of any other Act or any designation made*
19 *by or pursuant thereto.*

20 (D) *Nothing in this section shall be construed as estab-*
21 *lishing a precedent with regard to any future wilderness*
22 *designations.*

23 (c) *NEW OR EXPANDED PROJECTS.*—*Notwithstanding*
24 *any other provision of law, on and after the date of enact-*
25 *ment of this Act neither the President nor any other officer,*

1 *employee, or agent of the United States shall fund, assist,*
2 *authorize, or issue a license or permit for the development*
3 *of any new water resource facility within the areas de-*
4 *scribed in sections 2, 5, 6 and 9 of this Act or the enlarge-*
5 *ment of any water resource facility within the areas de-*
6 *scribed in sections 2, 5, 6 and 9 of this Act.*

7 (d) *ACCESS AND OPERATION.*—(1) *Subject to the pro-*
8 *visions of this subsection (d), the Secretary shall allow rea-*
9 *sonable access to water resource facilities in existence on*
10 *the date of enactment of this Act within the areas described*
11 *in sections 2, 5, 6 and 9 of this Act, including motorized*
12 *access where necessary and customarily employed on routes*
13 *existing as of the date of enactment of this Act.*

14 (2) *Existing access routes within such areas customar-*
15 *ily employed as of the date of enactment of this Act may*
16 *be used, maintained, repaired, and replaced to the extent*
17 *necessary to maintain their present function, design, and*
18 *serviceable operation, so long as such activities have no in-*
19 *creased adverse impacts on the resources and values of the*
20 *areas described in sections 2, 5, 6 and 9 of this Act than*
21 *existed as of the date of enactment of this Act.*

22 (3) *Subject to the provisions of subsections (c) and (d),*
23 *the Secretary shall allow water resource facilities existing*
24 *on the date of enactment of this Act within areas described*
25 *in sections 2, 5, 6 and 9 of this Act to be used, operated,*

1 *maintained, repaired, and replaced to the extent necessary*
2 *for the continued exercise, in accordance with Colorado*
3 *state law, of vested water rights adjudicated for use in con-*
4 *nection with such facilities by a court of competent jurisdic-*
5 *tion prior to the date of enactment of this Act: Provided,*
6 *That the impact of an existing facility on the water re-*
7 *sources and values of the area shall not be increased as a*
8 *result of changes in the adjudicated type of use of such facil-*
9 *ity as of the date of enactment of this Act.*

10 *(4) Water resource facilities, and access routes serving*
11 *such facilities, existing within the areas described in sec-*
12 *tions 2, 5, 6 and 9 of this Act on the date of enactment*
13 *of this Act shall be maintained and repaired when and to*
14 *the extent necessary to prevent increased adverse impacts*
15 *on the resources and values of the areas described in sections*
16 *2, 5, 6 and 9 of this Act.*

17 *(e) EXISTING PROJECTS.—Except as provided in sub-*
18 *sections (c) and (d) of this section, the provisions of this*
19 *Act related to the areas described in sections 2, 5, 6, and*
20 *9 of this Act, and the inclusion in the National Wilderness*
21 *Preservation System of the areas described in section 2 of*
22 *this Act, shall not be construed to affect or limit the use,*
23 *operation, maintenance, repair, modification, or replace-*
24 *ment of water resources facilities in existence on the date*

1 *of enactment of this Act within the boundaries of the areas*
2 *described in sections 2, 5, 6, and 9 of this Act.*

3 (f) *MONITORING AND IMPLEMENTATION.—The Sec-*
4 *retaries of Agriculture and the Interior shall monitor the*
5 *operation of and access to water resource facilities within*
6 *the areas described in sections 2, 5, 6, and 9 of this Act*
7 *and take all steps necessary to implement the provisions*
8 *of this section.*

9 (g) *INTERSTATE COMPACTS AND NORTH PLATTE*
10 *RIVER.—(1) Nothing in this Act, and nothing in any pre-*
11 *vious Act designating any lands as wilderness, shall be con-*
12 *strued as limiting, altering, modifying, or amending any*
13 *of the interstate compacts or equitable apportionment de-*
14 *crees that apportion water among and between the State*
15 *of Colorado and other States. Except as expressly provided*
16 *in this section, nothing in this Act shall affect or limit the*
17 *development or use by existing and future holders of vested*
18 *water rights of Colorado's full apportionment of such*
19 *waters.*

20 (2) *Notwithstanding any other provision of law, nei-*
21 *ther the Secretary of Agriculture nor any other officer, em-*
22 *ployee, or agent of the United States, or any other person,*
23 *shall assert in any court or agency of the United States*
24 *or any other jurisdiction any rights, and no court or agency*
25 *of the United States shall consider any claim or defense*

1 *asserted by any person based upon such rights, which may*
2 *be determined to have been established for waters of the*
3 *North Platte River for purposes of the Platte River Wilder-*
4 *ness Area established by Public Law 98–550, located on the*
5 *Colorado-Wyoming State boundary, to the extent such*
6 *rights would limit the use or development of water within*
7 *Colorado by present and future holders of vested water*
8 *rights in the North Platte River and its tributaries, to the*
9 *full extent allowed under interstate compact or United*
10 *States Supreme Court equitable decree. Any such rights*
11 *shall be exercised as if junior to, in a manner so as not*
12 *to prevent, the use or development of Colorado's full entitle-*
13 *ment to interstate waters of the North Platte River and its*
14 *tributaries within Colorado allowed under interstate com-*
15 *pact or United States Supreme Court equitable decree.*

16 ***SEC. 9. PIEDRA, ROUBIDEAU, AND TABEGUACHE AREAS.***

17 *(a) AREAS.—The provisions of this section shall apply*
18 *to the following areas:*

19 *(1) Certain lands in the San Juan National*
20 *Forest, Colorado, comprising approximately 62,550*
21 *acres, as generally depicted on the map entitled*
22 *“Piedra Area” dated January, 1993; and*

23 *(2) Certain lands in the Uncompahgre National*
24 *Forest, Colorado, comprising approximately 19,650*

1 *acres, as generally depicted on the map entitled*
2 *“Roubideau Area” dated January, 1993; and*

3 *(3) Certain lands in the Uncompahgre National*
4 *Forest, Colorado and in the San Juan Resource Area*
5 *administered by of the Bureau of Land Management,*
6 *comprising approximately 17,240 acres, as generally*
7 *depicted on the map entitled “Tabeguache Area”*
8 *dated January, 1993.*

9 *(b) MANAGEMENT.—(1) Subject to valid existing*
10 *rights, the areas described in subsection (a) are withdrawn*
11 *from all forms of location, leasing, patent, disposition, or*
12 *disposal under public land, mining, and mineral and geo-*
13 *thermal leasing laws of the United States.*

14 *(2) The areas described in subsection (a) shall not be*
15 *subject to any obligation to further study such lands for*
16 *wilderness designation.*

17 *(3) Until Congress determines otherwise, and subject*
18 *to the provisions of section 8 of this Act, activities within*
19 *such areas shall be managed by the Secretary of Agriculture*
20 *and the Secretary of the Interior, as appropriate, so as to*
21 *maintain the areas’ presently existing wilderness character*
22 *and potential for inclusion in the National Wilderness Pres-*
23 *ervation System.*

24 *(4) Livestock grazing in such areas shall be permitted*
25 *and managed to the same extent and in the same manner*

1 *as of the date of enactment of this Act. Except as provided*
2 *by this Act, mechanized or motorized travel shall not be per-*
3 *mitted in such areas: Provided, That the Secretary may*
4 *permit motorized travel on trail number 535 in the San*
5 *Juan National Forest during periods of adequate snow*
6 *cover.*

7 (c) *DATA COLLECTION.—The Secretary of Agriculture*
8 *and the Secretary of the Interior, in consultation with the*
9 *Colorado Water Conservation Board, shall compile data*
10 *concerning the water resources of the areas described in sub-*
11 *section (a) and existing and proposed water resource facili-*
12 *ties affecting such values.*

13 ***SEC. 10. SPANISH PEAKS PLANNING AREA STUDY.***

14 (a) *REPORT.—Not later than three years from the date*
15 *of enactment of this Act, the Secretary shall report to the*
16 *Committee on Natural Resources of the United States House*
17 *of Representatives and the Committee on Energy and Natu-*
18 *ral Resources of the United States Senate on the status of*
19 *private property interests located within the Spanish Peaks*
20 *planning area of the San Isabel National Forest in Colo-*
21 *rado, as generally depicted on a map entitled “Spanish*
22 *Peaks Further Planning Area Study”, dated January,*
23 *1993.*

24 (b) *CONTENTS OF REPORT.—The report required by*
25 *this section shall identify the location of all private prop-*

erty situated within the exterior boundaries of the Spanish Peaks planning area; the nature of such property interests; the acreage of such private property interests; and the Secretary's views on whether the owners of said properties would be willing to enter into either a sale or exchange of these properties at fair market value if such a transaction became available in the near future.

(c) *NO AUTHORIZATION OF EMINENT DOMAIN.*—Nothing contained in this Act authorizes, and nothing in this Act shall be construed to authorize, the acquisition of real property by eminent domain.

(d) *MANAGEMENT.*—Notwithstanding the provisions of section 4(a) of this Act, for a period of three years from the date of enactment of this Act, the Secretary shall manage the Spanish Peaks planning area as provided by section 105(c) of Public Law 96–560.

SEC. 11. PUMPING PLANT NAME CHANGE.

The facility of the Bureau of Reclamation, Department of the Interior, known as the Granby Pumping Plant of the Colorado-Big Thompson Project, in the State of Colorado, shall hereafter be known as the Farr Pumping Plant. Any reference to the Granby Pumping Plant in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Farr Pumping Plant.

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